

OFFICE OF THE STANDING CHAPTER 13 TRUSTEE
125 E John Carpenter Freeway
Suite 1100 11th Floor
Irving, TX 75062
(214) 855-9200 / (214) 965-0758 (Fax)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

IN RE:

Case No. **15-30160-SGJ-13**

BEN CLARK JR

CHAPTER 13

DEBTOR

STACEY G. C. JERNIGAN

TRUSTEE'S OBJECTION TO DEBTOR'S PROPERTY CLAIMED AS EXEMPT

TO THE HONORABLE STACEY G. C. JERNIGAN, U.S. BANKRUPTCY JUDGE:

The Office of the Chapter 13 Trustee, Dallas, herein objects to the claim of exemptions by the Debtor and shows the Court as follows:

1. This Chapter 13 case was initiated by the filing of the Debtor's Petition on January 05, 2015. Debtor filed Schedules and Statement of Financial Affairs on February 02, 2015. The creditor's meeting was held pursuant to 11 U.S.C. Section 341(a) on April 27, 2015.
2. Debtor has claimed the following property as exempt to which the Trustee objects:

The Debtor is attempting to exempt an account receivable in the amount of \$11,666 under the Texas Property Code.

3. The Trustee objects generally to the exemptions claimed for one or more of the following reasons:
 - a. The property claimed as exempt by Debtor does not come within the exemption statute on which the debtor relies;
 - b. Alternatively, if such property is within the exemption statute on which Debtor relies, the Debtor(s) does not meet all the requirements necessary to qualify for the exemption;
 - c. Alternatively, the property's value, size, amount or number is in excess of that authorized by the statute on which the Debtor relies.

WHEREFORE, The Office of the Chapter 13 Trustee, Dallas, objects to the exemptions claimed by the Debtor, herein as set forth above for being improper and invalid exemption(s), and prays for an Order of this Court denying said exemption.

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Respectfully submitted,

/s/Deborah B. Morton

Deborah B. Morton
State Bar No. 14558980
Attorney For Tom Powers
125 E John Carpenter Freeway
Suite 1100 11th Floor
Irving, TX 75062
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NOTICE OF HEARING

To the Debtor and Debtor's Attorney of Record:

You are hereby notified of the filing of the "Trustee's Objection to Debtor's Property Claimed as Exempt" and "Notice of Hearing Thereon" for the reasons therein stated.

A pre-hearing conference on the Trustee's Objection will be held on **June 11, 2015** at 8:30 a.m. at:

125 E John Carpenter Freeway, Suite 1100 11th Floor, Irving, TX 75062.

Any response to the proposed Objection not resolved or defaulted at the pre-hearing conference will be heard by the Court on **June 11, 2015** at 2:00 p.m. at:

1100 Commerce Street, Fourteenth Floor, Dallas, Texas.

DEBTOR ARE NOT REQUIRED TO ATTEND THE PRE-HEARING CONFERENCE UNLESS THEY OPPOSE THE TRUSTEE'S OBJECTION.

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Trustee's Objection to Debtor's Property Claimed as Exempt" has been served on the following parties at the addresses listed below by United States First Class Mail or by electronic service.

Debtor:

BEN CLARK JR
4808 TROON CIRCLE
DALLAS, TX 75287

Debtor's Attorney:

THE LAAS LAW FIRM
JASON LAAS-SUGHRUE
10440 N CENTRAL EXPY STE 1510
DALLAS, TX 75231**

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Notices of Appearance:

COUNTY OF DALLAS
CO LINEBARGER GOGGAN BLAIR ET AL
2777 N STEMMONS FWY STE 1000
DALLAS, TX 75207**

MACKIE WOLF ZIENTZ AND MANN PC
PARKWAY OFFICE CENTER SUITE 900
14160 NORTH DALLAS PARKWAY
DALLAS, TX 75254**

**Indicates party has elected to receive all notifications via electronic service and was not served a copy via United States First Class Mail.

Date: 05/01/2015

By: /s/ Deborah B. Morton

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